

**RESOLUTION NO. 3
SERIES 2020**

**A RESOLUTION RECOMMENDING DENIAL OF A REQUEST FOR A
COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE PHILLIPS 66 SPECIAL
DISTRICT DESIGNATION FROM RURAL TO SUBURBAN, MODIFY THE LAND USE
MIX TO INCLUDE MULTI-FAMILY RESIDENTIAL, HEALTHCARE AND LODGING,
AND MODIFY THE ALLOWED FLOOR AREA RATIO AND BUILDING HEIGHTS;
FOR THE 389.10-ACRE CONOCOPHILLIPS CAMPUS PROPERTY, LOCATED
NORTHWEST OF US 36 AND NORTHWEST PARKWAY AND SOUTHEAST OF S
88TH STREET AND CAMPUS DRIVE**

WHEREAS, the City of Louisville is a home rule municipal corporation organized under and pursuant to Article XX of the Colorado Constitution and the Louisville Home Rule Charter, and

WHEREAS, by virtue of such authority, and as further authorized by state statutes, including but not limited to C.R.S. §§ 31-23 -206 et seq. the City has broad authority to make and adopt a comprehensive plan for the physical development of the municipality; and

WHEREAS, on May 7, 2013, by Resolution 18, Series 2013, the City adopted the 2013 City of Louisville Comprehensive Plan to serve as the comprehensive development plan for the City; and

WHEREAS, the applicant, Brue Baukol Capital Partners, with authorization from the property owner, Phillips 66 Company, has submitted to the City an application for an amendment to the comprehensive development plan of the City pursuant to Chapter 17.64 of the Louisville Municipal Code; and

WHEREAS, the application for an amendment to the comprehensive development plan proposes to change the special district designation for the Conoco Phillips Campus, located within the Phillips66 Special District planning area, from rural to suburban, modify the land use mix to include multi-family residential, health care and lodging, and modify the allowed floor area ratio and building heights, and

WHEREAS, the Planning Commission held a public hearing concerning the request on June 11, 2020 and June 25, 2020, at which evidence and testimony were entered into the record; and

WHEREAS, the Planning Commission has evaluated the request based on the criteria in Section 17.64.070 of the Louisville Municipal Code; and

WHEREAS, after consideration of the evidence and testimony presented at the public hearing and based on the evaluation of the criteria for an amendment to the comprehensive development plan provided in Section 17.64.070 of the Louisville Municipal Code, the Planning Commission voted to direct City staff to draft a resolution recommending the City Council deny the amendment, and to set forth findings as they relate to the criteria for amendment of the plan.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Louisville, Colorado does hereby recommend denial of the application for an amendment to the comprehensive development plan and adopts the following findings in support of the recommendation for denial:

Sec. 17.64.070.A. The amendment request is consistent with the goals, policies and intent of the comprehensive plan of the City.

Commission Finding: The Commission finds that the proposed changes to the comprehensive plan are not consistent with the goals, policies and intent of the comprehensive plan. The proposed changes to policies related to size, scale and land use mix are not consistent with the Vision Statement and Core Community Values of the comprehensive plan, including managing growth in a manner that results in a small-town atmosphere, distinctive neighborhoods, sustainable practices, ecological diversity and a balanced transportation system.

Sec. 17.64.070.B. The amendment request will not result in adverse impacts to existing or planned services to the citizens of the City.

Commission Finding: The Commission finds that there has not been an adequate demonstration that the policy changes would not result in adverse impacts to existing and planned services, including public safety, senior services, parks, recreation and open space, water and sewer, and transportation infrastructure due to the proposed scale of development.

Sec. 17.64.070.C. The amendment request demonstrates a need exists for the amendment through either changed conditions or past error which support adjustments to the City's comprehensive plan.

Commission Finding: The Commission finds that there is not a past error in the comprehensive plan policies and conditions related to desired development in this district have not changed. Although the Conoco Phillips Campus development plans are no longer being pursued, the City's desired development condition on the property remains similar to the type and scale of development envisioned with the ConocoPhillips Campus General Development Plan.

Sec. 17.64.070.C. The Planning Commission and/or City Council may consider other factors in reviewing an application as they deem appropriate and may request additional information which is necessary for an adequate review and evaluation of the amendment.

Commission Finding: The Commission finds that a substantial change in development policy for the Phillips 66 Special District necessitates broad community support and that adequate demonstration of such community support was not provided with the application. Further, comprehensive plan policy encourages renewable forms of energy in new development, and the application does not adequately demonstrate how renewable energy will be incorporated into a development concept related to the proposed comprehensive plan amendment.

PASSED AND ADOPTED this 9th day of July, 2020.

By:

A handwritten signature in blue ink, appearing to read 'Steve Brauneis', is written over a horizontal line.

Steve Brauneis, Chairperson
Planning Commission

Attest: _____

Debra Williams, Secretary
Planning Commission